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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/002,332	11/14/2001	Luke E. Girard	42390.P12365X	6195
7590	12/27/2004			EXAMINER
John P. Ward BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP Seventh Floor 12400 Wilshire Boulevard Los Angeles, CA 90025-1026			WU, XIAO MIN	
			ART UNIT	PAPER NUMBER
			2674	
DATE MAILED: 12/27/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/002,332	GIRARD, LUKE E.
Examiner	Art Unit	
XIAO M. WU	2674	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 13 December 2004.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-3,6,8,9 and 11-13 is/are pending in the application:
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-3,6,8,9 and 11-13 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date: _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date: _____	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/13/2004 has been entered.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 6, 11 and 15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 6, 11 and 15 are indefinite because they are depending from cancel claims 4, 5, 10 and 14, respectively.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-3, 6-9, 11-13 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fan et al. (US Patent No. 5,815,126) in view of Tamura et al. (Pub. No. US 2002/0055215) and Estevez et al. (Pub. No. US 2003/0017846).

As to claims 1, 8, 12, Fan discloses a headset (see Figs. 34A-C) comprising: a receiver (720, Fig. 35) to receive a display command (770, Fig. 35) through a wireless link (col. 16, lines 25-29 and col. 17, 4-15); and a processor (712, Fig. 35) coupled to render an image according to the display command. Fan discloses a computer-readable medium (CPU 712, Fig. 35) having stored thereon a set of instructions to translate instructions, the set of instructions, which when executed by a processor (712), cause the processor to perform a method comprising: a headset (see Figs. 34A-C) receiver (720, Fig. 35) receiving a display command (770, Fig. 35) through a wireless link (col. 16, lines 25-29 and col. 17, 4-15); and a processor (712, Fig. 35) for processing the display command and displaying an image according to the display command.

It is noted that Fan does not specifically disclose the receiver receiving a compressed bitmap file for a video frame and the processor to decompress the bitmap file for the video frame. Tamura is cited to teach a wireless display device (16) which can receive a display command through a wireless Bluetooth link (see pp [0139]) including receiving a compressed video data (21) and decompressed (30) the compressed video data for the display (see Figs. 2 and 3; and pp [0109-0116], pp [0138-0139] and [0146]).

It would have been obvious to one of ordinary skill in the art to have modified Fan with the features of receiving compressed video data and decompressed the video data as taught by Tamura so that the user can receive and display MPEG standard.

Furthermore, it is noted that both Fan and Tamura does not specifically disclose that the video data is a bitmap file. Estevez is cited to teach a wireless display device similar to Fan and Tamura. Estevez teaches that the display receives the compressed bitmap data and decompresses the bit-map data (page 1, pp0020). It would have been obvious to one of ordinary skill in the art to have modified Fan and Tamura with the transmission of the bit-map data as taught by Estevez so as to compressing, decompressing and displaying the video image in real-time (page 1, pp0005, 0006).

As to claim 2, Fan discloses the headset includes a monocular display (1102', Fig. 34A) to display the image.

As to claim 3, Fan discloses the headset receives the display command from a server to change an image displayed on the monocular display. For example, as shown in Fig. 37, the commander in the fire truck can send the building map information to the firefighter and display on the monocular display (see col. 37, line 36 to col. 18, line 10).

As to claim 6, 11, and 15, Tamura discloses receiving the compressed bitmap file in accordance with Motion Pictures Experts Group (MPEP) protocol (see pp [0029]).

As to claim 9 and 13, Fan discloses including a headset mounted monocular display (1102', Fig. 34A) displaying the image.

Response to Arguments

6. Applicant's arguments filed 12/13/2004 have been fully considered but they are not persuasive. Applicant argues that the Bluetooth in Tamura does not disclose nor suggest using a wireless Bluetooth link to transfer video data as claimed by applicant. This argument is not persuasive. Tamura clearly discloses that the electronic equipment 50 includes an operation

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input section 90 to which operation information is input by operating keys, and a wireless operation section 92 for performing wireless operation by Bluetooth which is short distance wireless communications technology (see pp[0139]). Tamura further discloses that moving image data encoded according to the MPEP-4 standard, for example, can be transmitted or received through the antenna 96 (see pp [0142]).

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Xiao Wu whose telephone number is (703) 305-4721.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Richard Hjerpe**, can be reached on (703) 305-4709.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9306

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377

xw

December 21, 2004



XIAO WU
PRIMARY EXAMINER
ART UNIT 2674